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Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Andrej **Droba** (Slovakia)

I. Introduction

1. At its 19th plenary meeting, on 20 September 2002, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-seventh session the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee). The Assembly also referred to the Fourth Committee, under the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.[1]

2. At its 1st meeting, on 26 September 2002, the Fourth Committee decided to hold a general debate covering agenda items 19, 80, 81, 82, 12 and 83. The general debate on the items was held at the 2nd, 3rd, 5th and 6th meetings, on 30 September and on 1, 3 and 4 October (see A/C.4/57/SR.2, 3, 5 and 6). The Committee took action on item 81 at its 6th meeting, on 4 October (see A/C.4/57/SR.6).

3. For its consideration of the items, the Committee had before it the following documents:

[1] To be issued in *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23* (A/57/23).

02-65124 (E) 121102

(a) Relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/57/23 (Part II), chap. V and A/57/23 (Part III), chap. XIII);[1]

(b) Letter dated 20 August 2002 from the Permanent Representative of Fiji to the United Nations addressed to the Secretary-General transmitting the communiqué of the thirty-third meeting of the Pacific Islands Forum, held in Fiji from 15 to 17 August 2002 (A/57/331).

4. Also at its 1st meeting, the Committee decided, without objection and in accordance with established practice, to consider, in conjunction with agenda item 81, chapter VI of the report of the Special Committee, relating to military activities and arrangements by colonial Powers in Territories under their administration (see A/57/23 (Part II)).

5. At the 2nd meeting, on 30 September, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples made a statement in which he gave an account of the relevant activities of the Special Committee during 2002. He also drew attention to chapter V of the report of that Committee, as well as its relevant working papers (A/AC.109/2002/3, 4, 7-9, 12, 14, 15 and 17). The Rapporteur also gave an account of the Special Committee's consideration, pursuant to paragraph 8 of General Assembly decision 56/420 of 10 December 2001, of the question of military activities and arrangements by colonial Powers in Territories under their administration, and drew attention to chapter VI of the report of the Special Committee.

II. Consideration of proposals

A. Draft resolution contained in document A/57/23 (Part III), chapter XIII, section B

6. At its 6th meeting, on 4 October, the Committee adopted the draft resolution entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories" contained in document A/57/23 (Part III), chapter XIII, section B, by a recorded vote of 122 to 2, with 2 abstentions (see para. 9). The voting was as follows:[2]

In favour:

Algeria, Andorra, Argentina, Armenia, Austria, Bahrain, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan,

[2] Subsequently, the delegation of the Sudan indicated that it had intended to vote in favour, and the delegations of Bangladesh and Nigeria indicated that, had they been present, they would have voted in favour.

Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Malta, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

France, United Kingdom of Great Britain and Northern Ireland.

B. Draft decision contained in document A/57/23 (Part III), chapter XIII, section H

7. At its 6th meeting, on 4 October, the Committee adopted the draft decision entitled "Military activities and arrangements by colonial Powers in Territories under their administration", contained in document A/57/23 (Part III), chapter XIII, section H, by a recorded vote of 80 to 41, with 1 abstention (see para. 10). The voting was as follows:[3]

In favour:

Algeria, Argentina, Bahrain, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mexico, Morocco, Mozambique, Myanmar, Namibia, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Armenia, Austria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Gambia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Japan, Latvia, Liechtenstein, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania,

[3] Subsequently, the delegation of the Sudan indicated that it had intended to vote in favour, the delegations of Bangladesh and Nigeria indicated that, had they been present, they would have voted in favour, and the delegation of Bulgaria indicated that it had intended to vote against.

Russian Federation, San Marino, Slovakia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Abstaining:

Bulgaria.

8. After the adoption of the draft decision, a statement in explanation of vote was made by the representative of Denmark, on behalf of the States Members of the United Nations that are members of the European Union (see A/C.4/57/SR.6).

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

9. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[4]

Recalling its resolution 1514 (XV) of 14 December 1960, as well as all other relevant General Assembly resolutions, including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the

[4] A/57/23 (Part II), chap. V. For the final text, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23*.

economic stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when done in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and could also make a valid contribution to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Affirms* the need to avoid any economic and other activities which adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Reiterates* that the damaging exploitation and plundering of the marine and other natural resources of the Non-Self-Governing Territories, in violation of the relevant resolutions of the United Nations, is a threat to the integrity and prosperity of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV);

12. *Appeals* to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee to continue to examine this question and to report thereon to the General Assembly at its fifty-eighth session.

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10. The Special Political and Decolonization Committee (Fourth Committee) also recommends to the General Assembly the adoption of the following draft decision:

Military activities and arrangements by colonial Powers in Territories under their administration

1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the agenda of the Special Committee entitled "Military

activities and arrangements by colonial Powers in Territories under their administration"[5] and recalling its resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination, and reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn.

2. Aware of the presence of such bases and installations in some of those Territories, the General Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States.

3. The General Assembly reiterates its concern that military activities and arrangements by colonial Powers in Territories under their administration might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the administering Powers concerned to terminate such activities and to eliminate such military bases in compliance with its relevant resolutions. Alternative sources of livelihood for the peoples of the Non-Self-Governing Territories should be provided.

4. The General Assembly reiterates that the colonial and Non-Self-Governing Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The General Assembly deplores the continued alienation of land in colonial and Non-Self-Governing Territories, particularly in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

6. The General Assembly takes note of the decision of some of the administering Powers to close or downsize some of those military bases in the Non-Self-Governing Territories.

7. The General Assembly requests the Secretary-General to continue to inform world public opinion of those military activities and arrangements in colonial and Non-Self-Governing Territories which constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

8. The General Assembly requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and report thereon to the Assembly at its fifty-eighth session.

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[5] A/57/23 (Part II), chap. VI. For the final text, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 23*.